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**Preston S. Chiaro, P.E.**  
Vice President  
Health, Safety & Environmental Quality

January 17, 1994

Dr. Eva Hoffman  
US Environmental Protection Agency, Region VIII  
999 - 18th Street, Suite 500  
Denver, CO 80202-2405

**SUBJECT: KENNECOTT PRESS RELEASE FOR PROPOSED NPL LISTING**

Dear Eva:

Attached is a copy of Kennecott's press release relative to EPA's proposed listing of sites at our Utah Copper property. As we have discussed on numerous occasions, I cannot see how such a listing will make the cleanup go any faster, better, or cheaper. To the contrary, I see many potential traps which could delay the completion of the cleanup program and cost significantly more in terms of both time and money. Further, increasing the EPA staffing level for our site, where the cleanup has been proceeding expeditiously and effectively, seems an inappropriate allocation of the agency's limited resources, especially when there are so many sites without willing and able PRPs to conduct the work.

As we have discussed, Kennecott will strenuously oppose the proposed listing. Rest assured, however, that despite this disagreement over form, the real substance remains the same - Kennecott is fully committed to move forward as quickly as possible to complete our cleanup program. I hope that EPA's actions will not interfere with this goal.

Sincerely,

*Preston Chiaro*

Preston S. Chiaro, P. E.  
Vice President, Health, Safety, and Environmental Quality

cc: D. Nielson, UDEQ w/attachment

**RECEIVED**

JAN 19 1994

DIVISION OF  
OIL, GAS & MINING

**Kennecott**

*circulate to Lowell*  
*Ron D. R 1/21*  
*Wayne H. ✓*  
*File m/035/002*

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M/035/002

**Kennecott**

## NEWS RELEASE

January 17, 1994 -- Kennecott Utah Copper Corporation (KUCC) has been informed by the U. S. Environmental Protection Agency (EPA) that, as anticipated, the Agency will propose to place several sites on the company's property on the National Priorities (Superfund) List this week. Last summer EPA, the State of Utah, and KUCC attempted but failed to reach an umbrella legal agreement to cover the ongoing cleanup of these sites. Subsequently, EPA announced in August of 1993 that it would proceed with listing, despite the fact that none of the sites have been identified as posing an immediate risk to either human health or the environment.

The proposed listing comes in spite of the company's ongoing massive, accelerated cleanup program. KUCC believes that proceeding with the traditional Superfund program, which is notoriously slow and cumbersome, will slow down the accelerated cleanup program the company began two years ago.

"We believe a Superfund listing is not only unnecessary, but will actually delay our efforts," said KUCC's President Robert R. Dimock. "In addition, Superfund is not good for the community or for the state of Utah. However, despite EPA's decision to proceed with listing, we remain committed to continuing our cleanup work as a part of KUCC's overall modernization program."

In early 1991 KUCC presented its accelerated cleanup program to the State of Utah and EPA. The company's objective was to expedite the process for making environmental improvements on its property as efficiently as possible, while still meeting all EPA cleanup requirements. A technical committee made up of representatives from all three parties were able to agree on virtually all of the technical and engineering terms for the cleanup process but could not reach an agreement on detailed legal and administrative terms.

The material at most of the sites pre-dates KUCC's ownership. Since early 1991, the company has started or completed projects at three-fourths of the sites and has spent some \$85 million.

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"KUCC has moved very aggressively over the past two years to clean up historic waste problems on our properties, with regular oversight by EPA and the State of Utah," added Dimock. "We have a proven track record of success that far exceeds the norms established by EPA's Superfund program. Through our voluntary and cooperative approach, we have been able to complete work much more efficiently, with lower legal and administrative costs and little or no burden to the taxpayers."

The proposed listing on the National Priorities List triggers a 60 day public comment period. Government and community leaders, special interest groups, and the general public will have an opportunity to comment on the proposal before EPA finalizes its decision to list the Utah Copper sites under Superfund. KUCC will submit comments challenging EPA's proposal, including EPA's failure to take into account the cleanup work which has been performed so far.

For more information contact: Alexis Fernandez, Kennecott Corporation, 322-8036